

**Meeting of the Central Valley Flood Protection Board
June 20, 2008**

**Staff Report
DWR Floodway Protection Section**

Item

Consider approval of Permit No. 18345 to replace two irrigation pipes through the left (east) bank levee of Sutter Slough.

Applicant

Thomas Wheeler LLC

Location

The project is located southwest of Courtland in Sacramento County, south of the Sutter Island Cross Road at 13281 Sutter Slough Road (see Attachment B).

Description

The applicant wishes to replace an irrigation pipe and anchor on waterside slope and pipe on landside slope at River Mile 24.8; and replace a pipe and anchor on waterside slope and pipe on landside slope at River Mile 24.6 of the left (east) bank levee of Sutter Slough.

Agency Comments and Endorsements:

- The U. S. Army Corps of Engineers endorsement has not been received but is anticipated to be received prior to the June 20, 2008 Board meeting.
- Reclamation District 349 has endorsed this application.

CEQA Compliance:

The Central Valley Flood Protection Board is lead agency under CEQA. Board staff have determined that the project is exempt under the Categorical Exemption for declared emergencies (Sec. 21080(b), (3); 15269 (a)). Board staff will file a Notice of Exemption with the State Clearinghouse if the permit is approved.

Section 8610.5 Compliance

1. Evidence that the Board admits into its record from any party, State or local public agency, or nongovernmental organization with expertise in flood or flood plain management:

The Board will make its decision based on the evidence in the permit application and attachments, this staff report, and any other evidence presented by any individual or group.

2. The best available science that related to the scientific issues presented by the executive officer, legal counsel, the Department or other parties that raise credible scientific issues.

The accepted industry standards for the work proposed under this permit as regulated by Title 23 have been applied to the review of this permit.

3. Effects of the decision on the entire State Plan of Flood Control:

This project has no effects on the State Plan of Flood Control.

4. Effects of reasonable projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

None.

Staff Recommendation

Staff recommends the Board find the project to be exempt from CEQA and to approve the permit.

List of Attachments

- A. Draft Permit
- B. Location maps and photos

DRAFT

STATE OF CALIFORNIA
THE RESOURCES AGENCY
CENTRAL VALLEY FLOOD PROTECTION BOARD

PERMIT NO. 18345 BD

This Permit is issued to:

Thomas Wheeler LLC
12401 River Road
Courtland, California 95615

To replace an 8-inch-diameter irrigation pipe and anchor on waterside slope and 6-inch-diameter pipe on landside slope at River Mile 24.8; and replace an 8-inch pipe and anchor on waterside slope and 8-inch pipe on landside slope at River Mile 24.6 of the left (east) bank levee of Sutter Slough. The project is located southwest of Courtland, south of the Sutter Island Cross Road at 13281 Sutter Slough Road (Section 12, T5N, R3E, MDB&M, Reclamation District 349, Sutter Slough, Sacramento County).

NOTE: Special Conditions have been incorporated herein which may place limitations on and/or require modification of your proposed project described above.

(SEAL)

Dated: _____

Executive Officer

GENERAL CONDITIONS:

ONE: This permit is issued under the provisions of Sections 8700 – 8723 of the Water Code.

TWO: Only work described in the subject application is authorized hereby.

THREE: This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

FOUR: The approved work shall be accomplished under the direction and supervision of the State Department of Water Resources, and the permittee shall conform to all requirements of the Department and the Central Valley Flood Protection Board.

FIVE: Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of the Central Valley Flood Protection Board.

SIX: This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 day's notice.

SEVEN: It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

EIGHT: This permit does not establish any precedent with respect to any other application received by the Central Valley Flood Protection Board.

NINE: The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

TEN: The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

ELEVEN: The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interfere with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

TWELVE: Should any of the work not conform to the conditions of this permit, the permittee, upon order of the Central Valley Flood Protection Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

SPECIAL CONDITIONS FOR PERMIT NO. 18345 BD

THIRTEEN: All work approved by this permit shall be in accordance with the submitted drawings and specifications except as modified by special permit conditions herein. No further work, other than that approved by this permit, shall be done in the area without prior approval of the Central Valley Flood Protection Board.

FOURTEEN: The Central Valley Flood Protection Board, the State of California and/or any department(s) thereof and Reclamation District No. 349 shall not be held liable for damage(s) to the herein permitted project resulting from release(s) of water from resevoirs, flood fight, operation, maintenance, inspection, or emergency repair.

FIFTEEN: The permittee is responsible for all liability associated with construction, operation, and maintenance of the herein permitted project and shall defend and hold harmless the Central Valley Flood Protection Board, the State of California and/or any department(s) thereof and Reclamation District No. 349 from any liability or claim(s) of liability associated therewith.

SIXTEEN: The permittee shall be responsible for repair of any damage(s) to the flood control project works due to construction, operation and/or maintenance of the herein permitted project.

SEVENTEEN: The permittee shall contact the Department of Water Resources by telephone, (916) 574-1213, and submit the enclosed postcard to schedule a preconstruction conference. Failure to do so at least 10 working days prior to start of work may result in delay of the project.

EIGHTEEN: All cleared trees and brush shall be completely burned or removed from the flood control

project works, and downed trees or brush shall not remain in/on the project works during the flood season from November 1st to April 15th.

NINETEEN: No excavation shall be made or remain in the levee section during the flood season from November 1st to April 15th.

TWENTY: Stockpiled material and/or equipment shall not remain in/on the flood control project works during the flood season from November 1st to April 15th.

TWENTY-ONE: Pipe installed within/upon the levee section and within 10 feet of the levee toes shall be new steel and at least 10 gauge. Steel pipe shall be corrosion-proofed externally with a coating of coal-tar enamel; asphalt-saturated felt wrap; cement mortar; or PVC or polyethylene tape wrapped to a thickness of 30 mils. Steel pipe shall be corrosion-proofed internally with a continuous lining of cement mortar or asphalt.

TWENTY-TWO: A positive-closure device that is readily accessible during periods of high water shall be installed on the waterward side of the levee.

TWENTY-THREE: All pipe joints within the levee section shall be butt welded.

TWENTY-FOUR: Excavations in the levee section for the anchor footing(s) shall be a maximum of 2-feet-deep, cleaned of all loose soil, and backfilled with concrete cast against firm undisturbed earth.

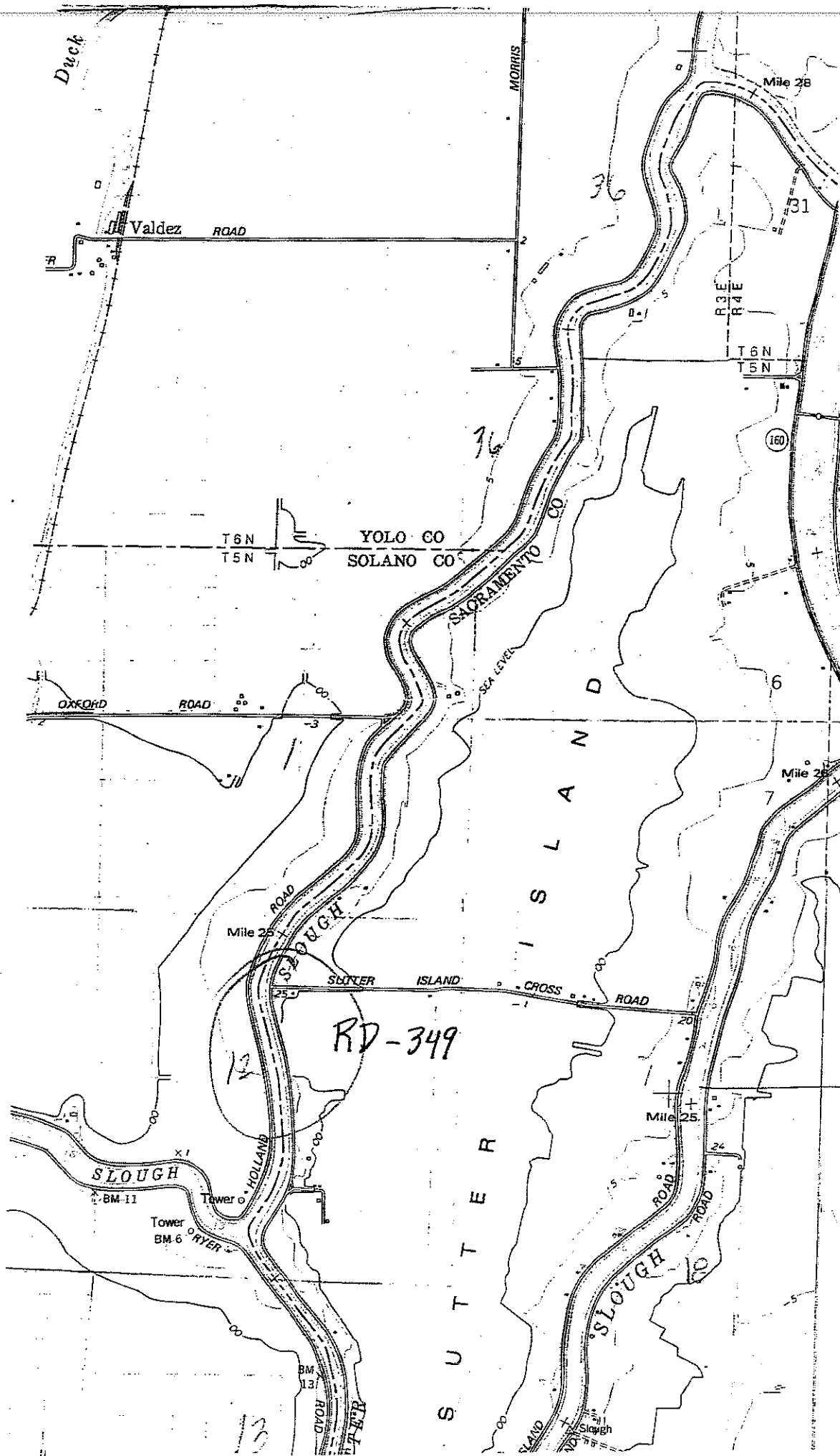
TWENTY-FIVE: All debris generated by this project shall be disposed of outside the project works.

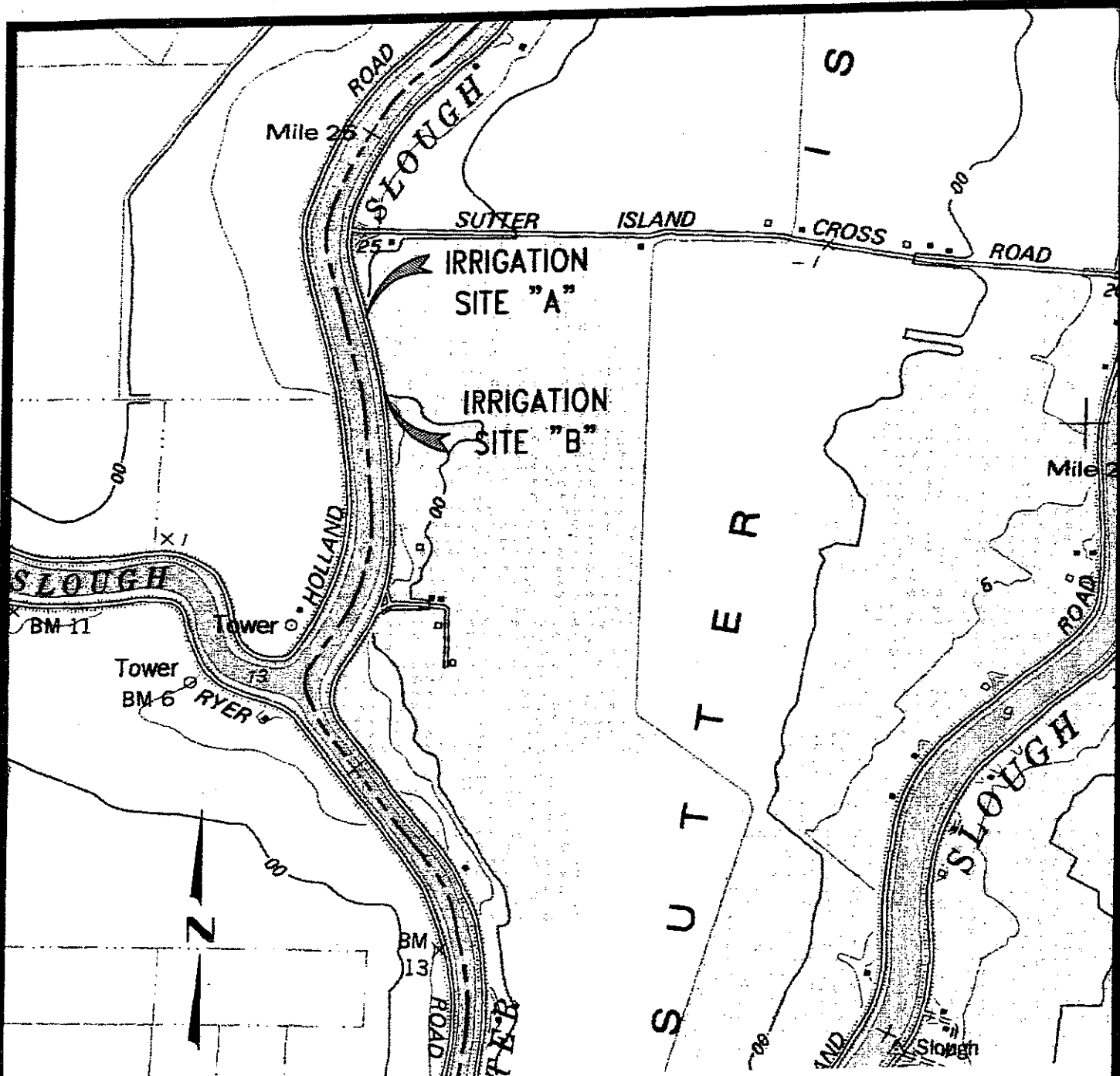
TWENTY-SIX: If the herein permitted project results in an adverse hydraulic impact, the permittee shall provide appropriate mitigation measures, to be approved in writing by the Central Valley Flood Protection Board, prior to implementation of mitigation measures.

TWENTY-SEVEN: The permittee may be required, at permittee's cost and expense, to remove or alter all or any part of the herein permitted project if removal or alteration is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove or modify the herein permitted project at the permittee's expense.

TWENTY-EIGHT: The pipeline(s) shall be tested and confirmed free of leaks by X-ray, pressure tests, or other approved methods during construction or anytime after construction upon request by the Central Valley Flood Protection Board.

TWENTY-NINE: The permittee shall comply with all conditions set forth in the letter from the Department of the Army dated June XX, 2008, which is attached to this permit as Exhibit A and is incorporated by reference.





NOT TO SCALE

OWNER: WHEELER & THOMAS LLC
12401 RIVER RD.
COURTLAND, CA. 95615

DATUM: NGVD 29

ADJACENT PROPERTY OWNER:

UPSTREAM: APN: 142-0010-022-0000
M.J. RANCHES
P.O. BOX 13
COURTLAND, CA. 95615

DOWNSTREAM: APN: 142-0020-036-0000
MIKE & WENDY STOKES
FAMILY TRUST
7581 W. KILE RD.
LODI, CA. 95242

CONTENTS:

VICINITY MAP

APN: 142-0020-043-0000
13281 SUTTER SLOUGH RD.
COURTLAND CA. 95615



DCC
ENGINEERING
CO., INC.

2000 10/10/00-0000 10/10/00-0000
10/10/00-0000 10/10/00-0000

Architecture
Civil Engineering
Land Use Planning
Feasibility Studies
Environmental Permitting
Program/Construction Management

PROJECT: IRRIGATION LINE MAINTENANCE

IN: SUTTER SLOUGH WEST BANK
RIVERMILE: SITE "A"=24.80±
SITE "B"=24.60±

COUNTY: SACRAMENTO

STATE: CA

APPLICATION BY:
DCC ENGINEERING CO., INC.

SITE #: 7606.01

DATE: 2/15/08

SHEET 1 OF 5 REV. 0

